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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

RECEIVED

AUG 28 2008 <sup>lcw</sup>  
AUG 28 2008  
MICHAEL W. DOBBINS  
CLERK, U.S. DISTRICT COURT

Alisha Kenya McDaniel  
Aka

Shirell D. Turner

(Enter above the full name  
of the plaintiff or plaintiffs in  
this action)

08cv4929

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JUDGE DER-YEGHIAYAN  
MAGISTRATE JUDGE COLE

vs.

Officer Henry  
18th District

(Enter above the full name of ALL  
defendants in this action. Do not  
use "et al.")

CHECK ONE ONLY:

X

COMPLAINT UNDER THE CIVIL RIGHTS ACT, TITLE 42 SECTION 1983  
U.S. Code (state, county, or municipal defendants)

COMPLAINT UNDER THE CONSTITUTION ("BIVENS" ACTION), TITLE  
28 SECTION 1331 U.S. Code (federal defendants)

OTHER (cite statute, if known)

**BEFORE FILLING OUT THIS COMPLAINT, PLEASE REFER TO "INSTRUCTIONS FOR  
FILING." FOLLOW THESE INSTRUCTIONS CAREFULLY.**

I. Plaintiff(s):

- A. Name: Alisha McDaniel
- B. List all aliases: Shirell D. Turner
- C. Prisoner identification number: 20080053535
- D. Place of present confinement: Cook County Jail
- E. Address: CHG II. 60608 P.O. Box 089002 Div #3 A-1

(If there is more than one plaintiff, then each plaintiff must list his or her name, aliases, I.D. number, and current address according to the above format on a separate sheet of paper.)

## II. Defendant(s):

(In A below, place the full name of the first defendant in the first blank, his or her official position in the second blank, and his or her place of employment in the third blank. Space for two additional defendants is provided in B and C.)

- A. Defendant: Officer Henry  
 Title: (Police) Chicago Police Officer  
 Place of Employment: 18th District Police Station
- B. Defendant: \_\_\_\_\_  
 Title: \_\_\_\_\_  
 Place of Employment: \_\_\_\_\_
- C. Defendant: \_\_\_\_\_  
 Title: \_\_\_\_\_  
 Place of Employment: \_\_\_\_\_

(If you have more than three defendants, then all additional defendants must be listed according to the above format on a separate sheet of paper.)

### III. Exhaustion of Administrative Remedies

You are required to exhaust all your available administrative remedies before bringing an action in federal court.

A. Is there a grievance procedure available at your institution?

YES ( ) NO (☒) If there is no grievance procedure, skip to F.

B. Have you filed a grievance concerning the facts in this complaint?

YES ( ) NO ( )

C. If your answer is YES:

1. What steps did you take?

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2. What was the result?

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3. If the grievance was not resolved to your satisfaction, did you appeal? What was the result (if there was no procedure for appeal, so state.)

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D. If your answer is NO, explain why not:

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- E. Is the grievance procedure now completed? YES ( ) NO ( )
- F. If there is no grievance procedure in the institution, did you complain to authorities? YES (X) NO ( )

G. If your answer is YES:

1. What steps did you take?

I wrote OPS requesting  
to file a Complaint and I'm now waiting  
for Complaint forms

2. What was the result?

They sent Complaint forms  
for me to feel out

H. If your answer is NO, explain why not:

**IV. List ALL lawsuits you (and your co-plaintiffs, if any) have filed in any state or federal court (including the Central and Southern Districts of Illinois):**

- A. Name of case and docket number: \_\_\_\_\_  
 \_\_\_\_\_
- B. Approximate date of filing lawsuit: \_\_\_\_\_
- C. List all plaintiffs (if you had co-plaintiffs), including any aliases: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_
- D. List all defendants: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_
- E. Court in which the lawsuit was filed (if federal court, name the district; if state court, name the county): \_\_\_\_\_
- F. Name of judge to whom case was assigned: \_\_\_\_\_  
 \_\_\_\_\_
- G. Basic claim made: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_
- H. Disposition of this case (for example: Was the case dismissed? Was it appealed? Is it still pending?): \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_
- I. Approximate date of disposition: \_\_\_\_\_

**IF YOU HAVE FILED MORE THAN ONE LAWSUIT, THEN YOU MUST DESCRIBE THE ADDITIONAL LAWSUITS ON ANOTHER PIECE OF PAPER, USING THIS SAME FORMAT. REGARDLESS OF HOW MANY CASES YOU HAVE PREVIOUSLY FILED, YOU WILL NOT BE EXCUSED FROM FILLING OUT THIS SECTION COMPLETELY, AND FAILURE TO DO SO MAY RESULT IN DISMISSAL OF YOUR CASE. CO-PLAINTIFFS MUST ALSO LIST ALL CASES THEY HAVE FILED.**

**V. Statement of Claim:**

State here as briefly as possible the facts of your case. Describe precisely how each defendant is involved. Include also the names of other persons involved, dates, and places. Do not give any legal arguments or cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. (Use as much space as you need. Attach extra sheets if necessary.)

On this day 7-25-08 Officer Henry 18<sup>th</sup> District detained me by using excessive force and broke my left wrist with her bare hand then threw me in a holding cell 45 minutes before I received any medical attention. Officer Henry took paid for Merchandise from me and \$205.00<sup>cash</sup> value that was not retrieved in my personal property. Be advised, I had a receipt present for the merchandise I paid for. Officer Henry (female) was the only one who had my property in her possession. I was shop lifting in a licensed department store and this officer was called for transport to arrest me. When this officer arrived, she didn't handcuff me she proceeded to do paper work and left me sitting in the loss prevention officer's office. Prior to her arrival, I asked the loss prevention officer to use the restroom she had me wait for the Police Officer to arrive which took approx. 45 min - 1 hr. Officer Henry

Arrived and denied me to use the restroom and said "Your Privileges ends now, you're under arrest" and said to wait until we got to the Police Station which would take approx. another hour Officer Henry still didn't handcuff me upon her arrival or her departure from the loss Prevention room where I was left unattended. I exited the Security office alone and walked to the restroom. The loss prevention officer told the Police Officer I wandered off and went to the restroom that's when this officer panicked and ran toward me. I was afraid so I ran from her threw the stock room all the way back to the loss prevention Security officer who I was stopped by with a shove. Once Simon Sutton the Security stopped me I put my hands up for Officer Henry to handcuff me because I knew that I was in trouble. Officer Henry slapped me, pulled my hair while I screamed saying "Somebody help me" Officer Henry replied "Shut up Bitch," now you're getting a Battery and escape"! Officer Henry grabbed my left hand and twisted it up in the upper middle part of my back as I yelled and told this officer "you're hurting me" she continued to

#### VI. Relief:

Use Accessive Force by Pushing the hand down tightly on the same wrist she had broken then threw me into a chair hand cuffed called in a (10-1) whatever that is and charged me with resisting arrest. As this officer walked me down out this department store we exited on a elevator. The elevator was the only exit from the security floor. Once we hit the ground floor approx 21 on duty police officers, 5 white shirts were swarming into this department store running like I had attacked this officer but she attacked me. As I walked toward the exit I replied "It's only little ole me" they all looked astonished wondering why was a 10-1 called in. Officer Henry called in a code to cover herself to make it seem as if I was fighting her. Once we arrived to the 18th district Officer Henry threw me in a holding cell for over 45 minutes. I yelled and screamed because I was in pain and needed medical attention. No one attended to me. So I screamed "S6T" finally, he asked "why are you yelling?" I replied "Sir, I believe my hand is broken I cannot move it, it hurts please help me." He asked what happened to my hand I told him Officer Henry broke it. Transport was requested I was taken to Lincoln Park Hospital where they took X-Ray and determined my bone in my wrist was broken. I was given a splint and a sling and a prescription for Vicodin and sent straight to Women's Detention on 18th State Street where I was finger printed and taken into custody. Meanwhile, my property was left behind with Officer Henry being inventoried without my presence. The loss prevention officer is witness to the cash value of \$205.00 that I had in my possession. After my property was



released to family. The paid for Merchandise, and my \$205.00 were Gone! The Merchandise included: 4 or 5 Newborn outfits with value of \$100.00 inside a Nordstrom shopping bag with the receipt. I was contacted by family and told that there was no money in my property or Merchandise.

End of Report

I'm Asking Suite on this Officer for using Accessive Force, Pain & Suffering, and theft of my personal property.